THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO.17526 OF 2005

DATE: 02nd November 2006

Between:

1. Smt. Polisetti Krishna Kumari,
   d/o P.Subba Rao, aged 44 years,
   Advocate, r/o 50-93-5/12, Srikrishna Residency,
   Santhipuram, Visakhapatnam-530 016
   and 3 others.

…Petitioners.

And

1. Joint Registrar/District Cooperative Officer,
   VUDA Udyog Bhawan, V Floor, Siripuram,
   Visakhapatnam –530 003 and 2 others.

…Respondents.

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ORDER:

This writ petition is filed at a time when the respondents 1 and 2 refused to proceed ahead with the enquiry already launched under Section 51 of the A.P. Cooperative Societies Act (for short 'the Act') against third respondent.

2. Learned counsel for the petitioners states that it is bounden duty of the authorities to go ahead with the enquiry once it is launched and notices are served on the respective parties.

3. Whereas, learned counsel for the respondent stated that the enquiry launched is a non-statutory one, therefore the petitioners cannot seek a writ of Mandamus and the very writ petition itself is

not maintainable.

4. Be that as it may, in the facts and circumstances of the case, without expressing any opinion on merits, the respondents 1 and 2 are directed to complete the enquiry purported to have been launched against the third respondent if the same is in order and is required under the provisions of the Act and complete the same within a period of two months from the date of receipt of a copy of this order and communicate the same to the petitioners. The interim order passed by this Court during pendency of the writ petition shall continue.

5. With the above directions, the writ petition is disposed of. No costs.

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C.V.RAMULU, J.

Date: 02nd November 2006.
BSB